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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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DERRICK L. JOHNSON,  
Petitioner,  
v.  
SCOTT KERNAN,  
Respondent.

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Case No. 18-cv-07048-JST (PR)

**ORDER OF DISMISSAL**

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Petitioner has not complied with the Court's order to (1) file a complete application to proceed in forma pauperis ("IFP"), or (2) pay the \$5.00 filing fee. Accordingly, the action is DISMISSED without prejudice for failure to respond to the Court's order and for failure to prosecute under Federal Rule of Civil Procedure 41(b). Because this dismissal is without prejudice, petitioner may move to reopen the action. Any such motion must contain a complete IFP application, or full payment for the \$5.00 filing fee. The Clerk shall enter judgment and close the file.

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**IT IS SO ORDERED.**

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Dated: January 8, 2019

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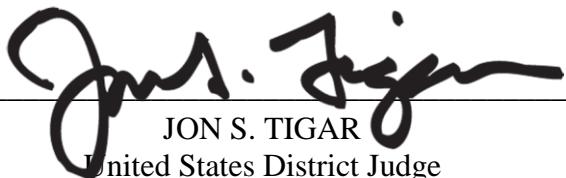
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JON S. TIGAR  
United States District Judge